

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

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MDL NO. MD-15-02641-PHX-DGC
CIVIL ACTION NO. 2:18-cv-04769

Mark Gain v. C.R. Bard, Inc. et al. :

MOTION

MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

Plaintiff, Mark Gain, by and through his attorneys respectfully seeks leave of Court to file an Amended Short Form Complaint in this matter for the reasons set forth below:

1. The lawsuit was directly filed in this MDL on December 19, 2018. Plaintiff seeks to amend the pleadings to no longer include C. R. Bard, Inc. as named-defendant, and to claim diversity of citizenship as the basis of jurisdiction.

2. Under Federal Rule of Civil Procedure 15(a), leave of court to amend a petition should be freely given when justice so requires. No party will be prejudiced by this change. It is hereby requested that this Motion for Leave to File Amended Short Form Complaint be granted.

Dated: January 10, 2020

MCSWEENEY/LANGEVIN

/s/ David M. Langevin
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